

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MARK GULLETT,)	
)	
Plaintiffs,)	
)	
v.)	Cause No.: 4:18-CV-01571 JCH
)	
CITY OF SAINT LOUIS, MISSOURI, et)	
al.)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter is before the Court on Defendants City of St. Louis Missouri, Scott Boyher, Randy Jemerson, Mathew Karnowski, Gerald Leyshock, Brian Rossomanno, and Timothy Sachs' Motion to Dismiss Amended Complaint and Alternative Motion to Strike, filed February 28, 2019. (ECF No. 37). Defendants filed a virtually identical motions in *Nelson v. City of St. Louis Missouri*, No. 4:18-CV-1561 JCH (E.D. Mo.) and in *Laird v. City of St. Louis Missouri*, No. 4:18-CV-01567 AGF (E.D. Mo.) Upon consideration of the parties' submissions, the Court now adopts the reasoning and holdings expressed in *Laird*, No. 4:18-CV-1567 AGF, 2019, WL 2647273 (E.D. Mo. June 27, 2019).

CONCLUSION

Accordingly,

IT IS HEREBY ORDERED that Defendant's Motion to Dismiss and in the Alternative Motion to Strike (ECF No. 37) is **GRANTED in part and DENIED in part**. The motion is **GRANTED** only as to Plaintiffs' § 1983 *Monell* claim against Defendant City of St. Louis based on failure-to-train in Count IV (the remainder survives dismissal), and is **GRANTED** as to the request for punitive damages on the state-law claims against City of St. Louis and against Gerald

Leyshock, Timothy Sachs, Scott Boyher, Randy Jemerson, Matthew Karnowski, and Brian Rossomano in their official capacities. The motion is otherwise **DENIED**.

Dated this 7th of August, 2019.

/s/ Jean C. Hamilton
JEAN C. HAMILTON
UNITED STATES DISTRICT JUDGE